

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P09468WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/051193	International filing date (day/month/year) 22.06.2004	Priority date (day/month/year) 01.07.2003
International Patent Classification (IPC) or national classification and IPC H04Q7/38, H04L29/08		
Applicant SIEMENS AKTIENGESELLSCHAFT		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>4</u> sheets, as follows: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4.	This report contains indications relating to the following items: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

PCT/EP2004/051193

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:

- ☐ international search (Rule 12.3 and 23.1(b))
☐ publication of the international application (Rule 12.4)
☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

☐ the international application as originally filed/furnished

☒ the description:

pages 1, 3-14 as originally filed/furnished

pages* 2 received by this Authority on 10.02.2005 with letter of 10.02.2005

pages* _____ received by this Authority on _____

☒ the claims:

nos. _____ as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1-12 received by this Authority on 10.02.2005 with letter of 10.02.2005

nos.* _____ received by this Authority on _____

☒ the drawings:

sheets 1/2-2/2 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-12	YES
	Claims		NO
Inventive step (IS)	Claims	1-12	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

D1: US 6 101 379 A

D2: US 2003/0078019 A1

A. Citations and comments relating to Box V

1. The invention relates to a **method** for selecting a service provider and to a corresponding **selection device** with the features of **independent claims 1 and 12** respectively.
2. A variety of mobile wireless networks based on different standards (for example, GSM, UMTS and WLAN) are available for servicing mobile subscribers over large geographical areas. Mobile subscribers can choose a network that suits their requirements (for example, according to price, quality or data transmission rate). Each network offers services (for example, voice links, links for transmitting data packets for software or video transmissions, and position indications), and for each service there can be a number of service providers.

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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Document **D1** discloses a method for selecting an operator from among a number of operators of different wireless communication systems using a mobile station. A selection device in the mobile station sends a request (for example, a price request) to each operator to submit a value for a selection parameter, and the selection device selects one of the operators on the basis of the values submitted for the selection parameter.

Document **D2** discloses another method for selecting an operator from among a number of operators of different wireless communication systems. A mobile station sends a request to a selection device connected to a public network together with information about the required bandwidth, quality and price, and the selection device selects an operator on the basis of the information provided.

3. The **problem addressed** by the present invention is that of specifying a method and a corresponding device for selecting a service provider for a service which can be received by a mobile station over a wireless access network of a **single** wireless communication system, and which is offered over a wireless access network of a wireless communication system by **at least two** service providers.
4. The **solution** involves a **method** for selecting a service provider and a corresponding **selection device** with the features of **independent claims 1 and 12** respectively.

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

The **essence of the invention** is that a selection device receives a request from the mobile station via a wireless interface in the wireless access network, requesting the selection of a service provider. The service can be received over the wireless access network of a **single** wireless communication system and is offered over the wireless access network of the wireless communication system by **at least two** service providers. The selection device asks each service provider to submit a value for a selection parameter, and selects one of the service providers for the service on the basis of the values submitted for the selection parameter.

5. In comparison with the aforementioned prior art (documents **D1** and **D2**), in which a selection is made from among a number of wireless access networks and operators, the **advantage** of the present invention is that the mobile station can choose a service from one of several different service providers and receive the service over a **single** wireless access network. This means that the mobile station can choose the service provider for a particular wireless access network in which the mobile station already has a connection.
6. The subject matter of the present application is neither known from nor suggested by any of the other documents cited in the international search report, because with regard to the present invention the other documents relate merely to very general prior art in the field of wireless communication systems and to

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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technology for selecting operators and wireless access networks.

7. The subject matter of **independent claims 1 and 12** is therefore considered **novel** and **inventive** (PCT Article 33(2) and (3)).
8. **Claims 2 to 11** are dependent on claim 1 and therefore **also** meet the requirements of PCT Article 33(2) and (3) in respect of **novelty** and **inventive step**.
9. The invention is clearly also **industrially applicable** (PCT Article 33(4)).

B. Further comments on the present application

In order to meet the requirements of PCT Rule 5.1(a)(ii), the introductory part of the description should have cited documents **D1** and **D2** (the prior art which is relevant to the present application) and briefly outlined the relevant prior art disclosed therein.